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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,194	03/29/2004	Kiyoshi Minoura	58,175-DIV (45672)	5841

7590 11/16/2005

EDWARDS & ANGELL, LLP  
P.O. Box 55874  
Boston, MA 02205

EXAMINER
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KIM, RICHARD H

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

ER

<b>Office Action Summary</b>	<b>Application No.</b> 10/813,194	<b>Applicant(s)</b> MINOURA, KIYOSHI	
	<b>Examiner</b> Richard H. Kim	<b>Art Unit</b> 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.  
 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-42 is/are pending in the application.  
     4a) Of the above claim(s) 17-42 is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 9-16 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:  
         1. ☒ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Election/Restrictions***

1. Claims 17-42 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 8/17/05.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 9, 10, 13 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsunoda et al. (US 4,952,031)

Referring to claims 9 and 16, Tsunoda et al. discloses a device comprising a plurality of pixel electrodes (12c) defining a plurality of pixels that are arranged in a matrix pattern; optical switching elements (col. 7, line 33) electrically connected to the plurality of pixel electrodes, respectively; scanning signal light emitting elements (9) for emitting dotted light, as scanning signals, to the optical switching elements; and a louver (8) provided between the optical switching element and the scanning signal light emitting element.

Referring to claim 10, Tsunoda et al. discloses the device previously recited, and further discloses a backlight (2) provided on a side away from the optical switching element with respect

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to the scanning signal light emitting element, a light blocking layer provided on a side of the scanning signal light emitting element that is closer to the backlight (col. 7, line 30).

Referring to claim 13, Tsunoda et al. disclose at least one counter electrode (12d) opposing the plurality of pixel electrodes; and a liquid crystal layer (col. 8, lines 4-5) provided between the plurality of pixel electrodes and the at least one counter electrode.

4. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsunoda et al. in view of Yamanaka et al. (US 6,35,010 B1).

Referring to claim 14, Tsunoda et al. discloses the device previously recited, but fails to disclose an organic electroluminescence material layer provided between the plurality of pixel electrode and the at least one counter electrode.

Yamanaka et al. discloses an organic EL material layer provided between a plurality of pixel electrode and at least one counter electrode (claim 33).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ an organic EL material layer provided between a plurality of pixel electrode and at least one counter electrode since employing an EL material instead of a liquid crystal material would be a functionally equivalent modification.

Referring to claim 15, Tsunoda et al. discloses the device previously recited, but fails to disclose the device further comprising a light blocking layer provided on a viewer side of the optical switching element.

It would have been obvious to employ a light blocking layer provided on a viewer side of the optical switching element since utilizing a light blocking layer on a viewer side of an optical switching element is well known in the art to prevent light leakage between adjacent pixels.

5. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsunoda et al. in view of Iijma (US 6,870,586 B2).

Tsunoda et al. discloses the device previously recited, but fails to disclose the device employing a first polarizing element is provided between the optical switching element and the scanning signal light emitting element for modulating light emitted from the scanning signal light emitting element into a predetermined state; and a second polarizing element provided between the first polarizing element and the optical switching element and arranged so as to selectively transmit light that is in the predetermined polarized state.

Iijima discloses a device employ employing a first polarizing element (22) is provided between the optical switching element and a backlight for modulating light emitted from the backlight into a predetermined state; and a second polarizing element (21) provided between the first polarizing element and the optical switching element and arranged so as to selectively transmit light that is in the predetermined polarized state.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a first polarizing element is provided between the optical switching element and the scanning signal light emitting element for modulating light emitted from the scanning signal light emitting element into a predetermined state; and a second polarizing element provided between the first polarizing element and the optical switching

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element and arranged so as to selectively transmit light that is in the predetermined polarized state since one would be motivated to provide a liquid crystal display device which has excellent visibility and which realizes a bright display by increasing the amount of light reflected in a direction of the line of sight of a user (col. 2, lines 60-64).

### ***Conclusion***

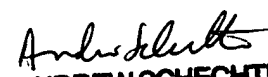
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard H. Kim whose telephone number is (571)272-2294. The examiner can normally be reached on 9:00-6:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Richard H Kim  
Examiner  
Art Unit 2871

RHK

  
**ANDREW SCHECHTER**  
**PRIMARY EXAMINER**

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